

claimed in patentable over the cited art and urges the Examiner to reconsider the pending rejections.

#### **Claims Objection**

The Applicant recognizes the mis-numbering of the claims and is appreciative of the Examiner for correcting this oversight.

#### **Specification**

The Examiner indicated that the title of the present application was not clearly indicative of the invention to which the claims are directed. The Applicant respectfully submits the title has been amended as set out above. It is believed this amended title conforms with the necessary descriptive requirements.

#### **Claims Rejection – 35 U.S.C. § 102(b)**

Examiner Ogden has rejected Claims 1, 16, 19-28 under 35 U.S.C. § 102(b) as being anticipated by Walzer. Claim 1 has been amended to more fully describe the inventive composition. No new matter has been added. The amendment to Claim 1 was the addition of the limitations contained in Claims 17 and 18. The Walzer reference does not include a disinfectant from the group of peracidic acid and hydrogen peroxide. It is respectfully submitted that neither Claim 1, as amended, nor the dependant claims 16, 19-28, are anticipated by the cited reference. Reconsideration of the rejection is respectfully requested.

#### **Claims Rejection – 35 U.S.C. § 103(a)**

Examiner Ogden has rejected Claims 1, 16-28 under 35 U.S.C. § 103(a) as being unpatentable over Vermeer. It is respectfully submitted that the cited reference does not render the present invention, as claimed, unpatentable. Reconsideration is thus requested.

Vermeer discloses a foaming composition for use with laundry detergent and personal hygiene. This composition is created from naturally occurring, organic compounds. More

specifically, the composition is directed toward a "class of environmentally friendly 'green' nonionic carabohydrate based surfactant." (Vermeer, Col. 5, Lines 20-21)

The present invention, as claimed, is distinctive from the composition of Vermeer. The present invention is not an organically created composition. Further, the composition does not creates a foam in order to clean the target surface. These differences are significant in that the Vermeer composition is directed toward a household product, whereas the present invention, is directed toward an industrial product. The present invention, as claimed, includes various acids of the type that are not to be used in laundry detergents or personal care products.

It is submitted that the Vermeer composition is directed toward a different composition make- up (organic v. non-organic), a different application (household use v. industrial use) and utilizes a different cleaning action (foaming or sudsing v. spraying) than that of the present invention, as claimed. Accordingly, it is respectfully submitted that the present invention is not rendered not patentable over Vermeer. Reconsideration is respectfully requested.

#### New Claim 29

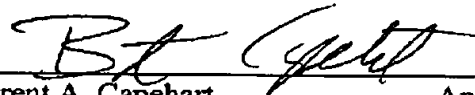
New Claim 29 has been added. No new matter has been included. The terminology of this claim disclosed inherent aspects of the components making up the composition. For example, the components of the disinfectant portion, i.e. peracidic acid and/or hydrogen peroxide, acts as an activator for the acids in the cleaning solution portion. These components also act as a disinfectant. Accordingly, it is submitted that no new matter has been added and this claim is patentable over the prior art.

Based on the above, Applicant respectfully submits that the application is in condition for registration and reconsideration is requested. If the Examining Attorney has any questions or comments or if further clarification is required, it is requested that he contact the undersigned at the below listed telephone number.

It is understood there is no fee due at this time and thus none is attached. However, should a fee deficiency have occurred, please contact the undersigned.

Per 37 C.F.R. § 1.121(c) the attached includes a set of 'clean claims' as required. These claims reflect suggested changes in the Amendment herein.

Respectfully submitted,




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April 2, 2003

**CERTIFICATE OF FACSIMILIE UNDER 37 CFR 1.08/1.10**

I hereby certify that this document and any document referred to as being attached therein is being send via facsimile to fax number (703) 872.9310 and being addressed to: Box Amendments, Assistant Commissioner for Patents and Trademarks, Washington, D.C. 20231, on April 2, 2003.

Brent A. Capehart  
Name

  
Signature

**FAX RECEIVED**

APR 03 2003

GROUP 1700

### Appendix – Marked-Up Claims

Per 37 CFR 1.121(c) the following is a “marked-up” version of the Specification.

#### IN THE SPECIFICATION:

Please amend the Title to read as follows”

#### [COMPOSITION FOR] CLEANING/DISINFECTANT COMPOSITION TO CLEAN SURFACES

Per 37 CFR 1.121(c) the following is a “marked-up” version of the Claims.

#### IN THE CLAIMS:

1. A composition for cleaning surfaces having deposits comprising:  
a cleaning solution portion; and  
a disinfectant portion, said disinfectant portion is selected from the group consisting of peracetic acid and hydrogen peroxide.
- ~~2716.~~ The composition of claim 1 wherein said cleaning solution portion is in a range of 90 to 99.9% by volume of the total volume of the composition and said disinfectant portion is in a range of 0.1 to 10.0% by volume of the total volume of the composition.
- ~~2817.~~ ~~The composition of claim 1 wherein said disinfectant portion is peracetic acid.~~
- ~~2918.~~ ~~The composition of claim 1 wherein said disinfectant portion is hydrogen peroxide.~~
- ~~3019.~~ The composition of claim 1 wherein said cleaning solution portion is selected from the group consisting of sulfamic acid, citric acid, glycolic acid, phosphoric acid, hydrochloric acid, inhibitors, dyes and water.
- ~~3120.~~ The composition of claim 19 wherein said cleaning solution portion is in a range of 90 to 99.9% by volume of the total volume of the composition and said disinfectant portion is in a range of 0.1 to 10.0% by volume of the total volume of the composition.
- ~~3221.~~ The composition of claim 1 wherein said cleaning solution portion is selected from the group consisting of and having a volume in the range of the following:  
sulfamic acid, 0-20%;  
citric acid, 0-10.0%;  
glycolic acid, 0-15%;  
phosphoric acid, 0-13%;  
hydrochloric acid, 0-10.0%;  
dyes, 0-0.01%; and  
water as the balance.

- 3322.** The composition of claim 21 wherein said cleaning solution portion is in a range of 90 to 99.9% by volume of the total volume of the composition and said disinfectant portion is in a range of 0.1 to 10.0% by volume of the total volume of the composition.
- 3423.** The composition of claim 1 wherein said cleaning solution portion is selected from the group consisting of and having a volume in the range of the following:  
hydrochloric acid, 0-20.0%;  
citric acid, 0-1.5%;  
glycolic acid, 0-15%;  
phosphoric acid, 0-4%;  
triethylene glycol, 0-1.0%; and  
water as the balance.
- 3524.** The composition of claim 23 wherein said cleaning solution portion is in a range of 90 to 99.9% by volume of the total volume of the composition and said disinfectant portion is in a range of 0.1 to 10.0% by volume of the total volume of the composition.
- 3625.** The composition of claim 1 wherein said cleaning solution portion is selected from the group consisting of and having a volume in the range of the following:  
sulfamic acid, 0-20%;  
hydrochloric acid, 0-20.0%;  
phosphoric acid, 0-4%;  
isopropanol, 0-1%;  
inhibitor; 0-1.0%; and  
water as the balance.
- 3726.** The composition of claim 25 wherein said cleaning solution portion is in a range of 90 to 99.9% by volume of the total volume of the composition and said disinfectant portion is in a range of 0.1 to 10.0% by volume of the total volume of the composition.
- 3827.** The composition of claim 1 wherein said cleaning solution portion is selected from the group consisting of and having a volume in the range of the following:  
phosphoric acid, 0-20%;  
isopropanol, 0-1%;  
inhibitor; 0-1.0%; and  
water as the balance.
- 3928.** The composition of claim 27 wherein said cleaning solution portion is in a range of 90 to 99.9% by volume of the total volume of the composition and said disinfectant portion is in a range of 0.1 to 10.0% by volume of the total volume of the composition.

Please add the following new claim (Claim 29).

- 29.** A composition for cleaning surfaces having deposits comprising:  
a cleaning solution portion; and  
an activation agent, said activation agent activating said cleaning solution portion while providing a disinfectant component to the composition.